

**REMARKS/ARGUMENTS**

Applicants respectfully traverse the rejections of the pending claims based on the amendments to the claims and the remarks presented below. Reconsideration is respectfully requested in view of the following information.

**I. The Objections to Figure 13 and 16 are Inapplicable**

The drawings are objected to because Figures 13 and 16 allegedly present partial views. The Applicants respectfully disagree.

Applicants assert that Figures 13 and 16 are not partial views. A partial view as described in 37 C.F.R. § 1.84(h)(2) is “a view of a large machine or device in its entirety ...[which is] broken into partial views...” *See* 37 C.F.R. § 1.84(h)(2). In contrast, the specification states that Figure 13 “shows the definition of five objects,” not partial views of a single object or device. *See* specification, page 58, line 2. Additionally, Applicants note that the elements of Figure 13 are clearly labeled and described in the specification so that there is no loss in facility of understanding the Figure. When the description of Figure 13 is read in the specification it is clear that Figure 13 is not a partial view.

Similarly, Figure 16 depicts objects used to manipulate prompts under different uses of the prompts, according to an embodiment of the invention. *See* specification, page 6, lines 7-8. The specification states that Figure 16 “shows the ways in which a prompt object can be used on an object 1602.” *See* specification, page 63, line 19. The specification further clarifies the exemplary embodiment by stating “[t]here are three ways in which a prompt instance may be used.” *See* specification, page 63, line 21-22. Applicants note that the objects depicted in Figure 16 are clearly labeled and arranged to show “three ways in which a prompt object may be used.”

Clearly, the elements of Figure 16 do not depict partial views of a larger assembly. In contrast, the elements of Figure 16, as labeled and as described in the specification, depict different embodiments. Accordingly, Applicants respectfully submit the drawing objections to the alleged partial views do not apply.

However, in order to forward the present application toward allowance, Applicants have provided replacement sheets for Figures 13 and 16, addressing the Examiner's concerns as best understood by the Applicants. Should the Examiner decide to maintain this objection, Applicants respectfully request clarification.

Furthermore, Applicants noted that element 1302 was incorrectly labeled "Filter E" when it should have been labeled "Filter F". See specification, page 58, line 2. Element 1310 was also incorrectly labeled "Double Prompt M" when it should have been labeled ""Double Prompt V". See specification, page 58, line 4. Accordingly Applicants have addressed this is a replacement sheet.

## **II. The Double Patenting Rejection of Claim 1**

On pages 4-5 of the Office Action, claim 1 was rejected under the judicially created doctrine of obviousness-type double-patenting as being allegedly unpatentable over claim 1 of U.S. Patent No. 7,356,758 to Bedell *et al.*.

To expedite the prosecution of the present patent application toward finality, this rejection is hereby respectfully traversed with the filing of a terminal disclaimer concurrently herewith. It should be noted, however, that the filing of a terminal disclaimer in the present patent application does not constitute an admission of the propriety of the obviousness-type

double-patenting rejection. *See* MPEP § 804.02 and Quad Environmental Technologies Corp. v. Union Sanitary District, 946 F.2d 870 (Fed. Cir. 1991).

In view of the foregoing, Applicant respectfully requests that the aforementioned double-patenting rejection of claim 1 be withdrawn.

### **III. The 35 USC § 112 Rejection of Claims 1-7**

On page 6 of the Office Action, claims 1-7 were rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the invention. This rejection is hereby respectfully traversed.

Claims 1 and 5 have been amended. It is believed that the amendments puts the claims in a state for allowance. Claims 2-7 were rejected because of their dependency on claim 1.

Regarding the Office's assertion that claim 1 allegedly omits the essential elements of "the creation of a report," the Applicants respectfully disagree. Applicants note that lines 6-7 of claim 1, as listed above, recite "a resolution object for collecting an answer to a question of the prompt object **for report creation...**" (emphasis added). Additionally, lines 4-5 of claim 1 recite "prompt object being used to define one or more aspects of a **report definition...**" (emphasis added). Applicants respectfully submit that claim 1 as structured does not "omit matter disclosed to essential to the invention as described in the specification or in other statements of record." *See* MPEP 2172.01

Applicants respectfully request the withdrawal of the 35 U.S.C. § 112 rejections of claims 1-7.

**IV. The 35 U.S.C. § 103(a) Rejection of Claims 1 and 3**

On page 7 of the Office Action, claims 1 and 3 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,604,898 to Saijyo *et al.* ("Saijyo") in view of U.S. Patent No. 6,160,549 to Touma *et al.* ("Touma"). This rejection is hereby respectfully traversed.

Saijyo fails to teach or suggest a resolution object. The Office asserts that element 23 of Figure 4 and the column 1, lines 53-57 disclose a resolution object. *See* Office Action, page 7. Element 23 of Figure 4 is labeled "enquiry object emitter means." *See* Figure 4, element 23. Applicant notes that the enquiry object emitter means is further described by Saijyo as follows:

If the database enquiry statement 17 entered from the terminal unit 1 is a dynamic execution request which calls for the urgent reference, then the enquiry object executing means 25 which lies within the enquiry object generating/ executing circuit 8 immediately starts to execute the enquiry object but, if not, and if it is the database enquiry statement 17 entered from the application program 2, then the enquiry object 22 is generated for the enquiry statement 17 for all the networks DB 14, which is stored into the enquiry object memory 5 by the **enquiry object emitter means 23** for completion of the compiling stage.

Saijyo, column 8, lines 32-42 (emphasis added). Thus an enquiry object emitter means stores an enquiry object into enquiry object memory. Applicants note that the Office asserts that the prompt object of claim 1 is disclosed by "Figure 4 enquiry object generating means (8) and database enquiry statement (7)." *See* Office Action, page 7. Clearly if a enquiry object is alleged to teach or suggest a prompt object, and Applicants do not so concede, storing an enquiry object into memory cannot teach or suggest "a resolution object for collecting an answer to a question of the prompt object for report creation," as recited by claim 1.

Column 1, lines 53-57 of Saijyo similarly fails to teach or suggest “a resolution object for collecting an answer to a question of the prompt object for report creation,” as recited by claim 1. Column 1, lines 53-57 of Saijyo recite “a relational type database controlling portion for generating an enquiry object matching with the relational type database to obtain an answer for that object.” Thus the enquiry object matches with the relational type database to obtain an answer. An enquiry object that obtains its own answer by matching with a relational database fails to teach or suggest “a resolution object for collecting an answer to a question of the prompt object for report creation” wherein the “prompt object compris[es] a question to be asked of a user.” On the contrary this interpretation of an alleged teaching or suggestion of Saijyo impermissibly combines elements of claim 1 including a prompt object and a resolution object. Clearly Saijyo fails to teach or suggest “a resolution object for collecting an answer to a question of the prompt object for report creation,” as recited by claim 1. Touma fails to cure this deficiency.

Saijyo also fails to teach or suggest at least “a prompt object comprising a question to be asked of a user and at least one validation property.” The Office asserts that the prompt object of claim 1 is disclosed by “Figure 4 enquiry object generating means (8) and database enquiry statement (7).” See Office Action, page 7. As discussed above, an enquiry object is to be matched against a relational database. Obtaining an answer from a relational database is not obtaining an answer from a user or a resolution object. Thus Saijyo fails to disclose “a prompt object comprising a question to be asked of a user,” as recited by claim 1. Touma is not proposed by the Office to cure this deficiency.

PATENT

Attorney Docket No.: 53470.003040

Application No. 09/883,507

**V. CONCLUSION**

Applicants submit that the pending claims are now in a state for allowance. Accordingly, Applicants respectfully request that the Examiner withdraw his rejections, allow the pending claims and pass the application to issue.

If the Examiner believes that a telephone conference or interview would advance prosecution of this application in any manner, the undersigned stands ready to conduct such a conference at the convenience of the Examiner.

If there are any fees due under 37 C.F.R. §1.116 or §1.117 which are not enclosed herewith, including any fees required for extension of time under 37 C.F.R. §1.136, please charge such fees to our Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

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By: 

Ozzie A. Farres  
Registration No. 43,606

Hunton & Williams, LLP  
1900 K Street, N.W.  
Washington, DC 20006-1109  
Telephone: (202) 955-1500  
Facsimile: (202) 778-2201